

The regular meeting of the Municipal Civil Service Commission convened on Monday, February 24, 2003, at 12:30 p.m. with Priscilla Tyson, Grady Pettigrew and Mary Jo Hudson present.

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RE: *Introduction of Commissioner Mary Jo Hudson.*

Commission President Tyson introduced new Commissioner Mary Jo Hudson.

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RE: *Review and approval of minutes from the January 27, 2003, regular meeting.*

The minutes were approved as written.

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RE: *Review and approval of the minutes from the February 12, 2003, special meeting.*

The minutes were approved as written.

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RE: *Review and approval of the minutes from the February 14, 2003, special meeting.*

The minutes were approved as written.

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RE: *Review of the results of the pre-hearing conference for the following appeals:*

*Harry Jackson vs. Columbus Public Schools, Appeal No. 02-BA-0017.
Intervention Aide – Discharge – hearing scheduled for March 17, 2003.*

*Antonio Dawson vs. Columbus Public Schools, Appeal No. 02-BA-0018.
Custodian II – Discharge – hearing scheduled for April 14, 2003.*

*Anthony Williams vs. City of Columbus, Appeal No. 02-CA-0017
Police Officer – 240-hour Suspension – hearing scheduled for June 30, 2003.*

PRESENT: Theresa Carter, Deputy Executive Director

Theresa Carter appeared before the Commissioners and reported on the results of pre-hearing conferences previously heard. Harry Jackson, an Intervention Aide for Columbus Public Schools was discharged for allegedly striking or grabbing a student in an inappropriate manner. The case should take one full day due to the number of individuals involved. Both parties requested that Commissioner Pettigrew agree to begin the Trial Board earlier in the day if at all possible in order to finish in one day. Anthony Williams, Police Officer, City of Columbus is appealing a 240-hour suspension. Appellant's attorney Terry Sherman and Assistant City Attorney Alan Varhus believe this case should take one full afternoon. Both parties wanted the Commissioners to be advised that they are engaging in ongoing settlement discussions. Antonio Dawson, Custodian II, Columbus Public Schools, is appealing an involuntary resignation as a result of Mr. Dawson being AWOL for five days. Thomas Drabick, OAPSE, will represent Mr. Dawson and advises this case is mitigation only; there is no argument that Mr. Dawson missed five days. Mr. Braverman, Columbus Public Schools, and Mr. Drabick anticipate the entire case should take no more than two hours.

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RE: *Request of the Civil Service Commission staff to revise Rules VIII(A)(1) and X(G)(1).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to adopt revised language in order to clarify the use of the preferred list to include employees qualifying for reallocation per Rule X(G)(1). Under the current Rule, the Commissioners are given the authority to deem an individual qualified for a preferred eligible list under certain circumstances. The current preferred eligible list rule, Rule VIII(A)(1), is silent as to the Rule X(G)(1) option. The proposed language would remedy the perceived inconsistency.

Additionally, in order to ensure consistency in the serving of probationary periods by those appointed from a preferred eligible list, the language requiring completion of the probationary period for the subject classification prior to the inclusion of a name on the preferred eligible list is being removed. The proposed revisions would allow for the completion of a probationary period for those included on and subsequently appointed from the preferred eligible list as a result of a reallocation action as described in Rule X(G)(1). In addition, provisional employees need only pass the test to be included on the preferred list but would be required to complete the prescribed probationary period before permanent status is obtained.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of appellant Shelton Barksdale to withdraw the appeal he filed with the Civil Service Commission on April 18, 2002 regarding his discharge from the position of Head Custodian II with the Columbus Public Schools – Appeal No. 02-BA-0009.*

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Review of the Findings and Recommendation of the Trial Board hearing held on February 10, 2003:
Alvin Wilson vs. Columbus Public Schools, Appeal No. 02-BA-0011.*

PRESENT: Theresa Lynn Carter, Deputy Executive Director

The Commissioners adopted the recommendation of the Trial Board to uphold the appointing authority's decision to suspend Mr. Wilson for five days.

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RE: *Request of the Columbus Public Schools to revise the specification for the classification Food Facility Manager and retitle it to read Food Service Warehouse and Delivery Supervisor (Class Code 884).*

PRESENT: Sue Messina, Columbus Public Schools, Personnel Analyst

Sue Messina presented the request from Columbus Public Schools to revise and retitle Food Facility Manager to Food Service Warehouse and Delivery Supervisor. The last job analysis on this position was completed in 1982 and this request was to bring the job specification up to date and make the title more descriptive of what job functions the incumbent actually performs.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to approve the specification review of the classification Energy Programs Coordinator with no revisions (Class Code 0756).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to approve the specification review for Energy Programs Coordinator with no revisions. In accordance with Civil Service Commission policy, any classification that has not been reviewed during the past five years shall be reviewed and revised if needed. This classification was last reviewed in January of 1998. There is currently one incumbent in this classification.

Based upon information from the incumbent of this class, no proposed revisions are requested at this time. It was therefore requested that the review of the classification be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to abolish the specification for the classification Legal Investigator I (U) [Class Code 1994].*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to abolish the specification for the classification Legal Investigator I (U). This classification was last reviewed with no changes in March 2001 while waiting for salary and bargaining unit to be assigned for the replacement series that was approved by the Commission in November 2000. Just recently, salary and bargaining unit was assigned to each of the classes in the new series and each position appropriate reallocated. With this classification now vacant, it was recommended that it be abolished.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to abolish the specification for the classification Legal Investigator II (U) [Class Code 1995].*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to abolish the specification for the classification Legal Investigator II (U). This classification was last reviewed with no changes in March 2001 while waiting for salary and bargaining unit to be assigned for the replacement series that was approved by the Commission in November 2000. Just recently, salary and bargaining unit was assigned to each of the classes in the new series and each position appropriate reallocated. With this classification now vacant, it was recommended that it be abolished.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to abolish the specification for the classification Legal Investigator III (U) [Class Code 1996].*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to abolish the specification for the classification Legal Investigator III (U). This classification was last reviewed with no changes in March 2001 while waiting for salary and bargaining unit to be assigned for the replacement series that was approved by the Commission in November 2000. Just recently, salary and bargaining unit was assigned to each of the classes in the new series and each position appropriate reallocated. With this classification now vacant, it was recommended that it be abolished.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to retitle the specification for the classification Geographic Information System (GIS) Technician to read GIS Technician and amend Rule XI accordingly (Class Code 0545).*

PRESENT: Barbara Crawford, Personnel Analyst II

Barbara Crawford presented this request to revise and retitle Geographic Information System (GIS) Technician. This classification was created in November of 2002 as the entry-level class dealing with the geographic information system in use throughout the City. Additional classifications in the series are Citywide GIS Manager, GIS Manager and GIS Analyst. To maintain uniformity in the series it was requested that Geographic Information System (GIS) Technician be retitled to read GIS Technician.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Residency Hearing Review:
Daniel W. Cross, Firefighter*

In the matter of Daniel W. Cross, Firefighter, Department of Public Safety, the Commissioners reviewed documents and decided that Mr. Cross does meet the residency requirement.

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RE: *Personnel Actions.*

No personnel actions were submitted this month.

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RE: *Administrative/Jurisdictional Reviews.*

Review of the appeal of Gary L. Knapp regarding the denial of his request for ADA accommodation on the Fire promotional examination – Appeal No. 03-CA-0004.

The Commissioners reviewed the appeal filed by Mr. Knapp on February 7, 2003, based upon the denial of his request for accommodations for the Fire Captain examination. Because of a recent U. S. Supreme Court decision, the City Attorney's Office advised the Commission that Mr. Knapp's condition does not qualify as a disability under the American with Disabilities Act. The Commission, therefore, decided to dismiss Mr. Knapp's appeal without a hearing.

Review of the appeal of William Fitzpatrick regarding the denial of his request for ADA accommodation on the Fire promotional examination – Appeal No. 03-CA-0005.

The Commissioners reviewed Mr. Fitzpatrick's appeal, which he filed on February 7, 2003, based on the denial of his request for accommodation for the Fire Captain examination. Mr. Fitzpatrick felt that his condition, ADD, was covered under the Americans with Disabilities Act. Based upon a recent U.S. Supreme Court decision, the City Attorney's Office advised the Commission that ADD is not covered under the Americans with Disability Act. The Commission, therefore, decided to dismiss Mr. Fitzpatrick's appeal without a hearing.

Review of the appeal of Clarence Watkins regarding the denial of his request for veteran's preference points for the Food Service Helper examination at the Columbus Public Schools – Appeal No. 03-BA-0002.

The Commissioners reviewed the appeal that Mr. Watkins filed on January 13, 2003, regarding the denial of his request for veteran's preference points on the Food Service Helper examination with the Columbus Public Schools. Documentation from the Columbus Public Schools indicated that Mr. Watkins filed his application on August 12, 2002, and did not submit an original DD214. The copy of a letter from the Department of Veteran's Affairs regarding his service-connected disability is not sufficient to confirm his dates of service and type of discharge, which is required. In addition, a request for review must be filed within ten calendar days of the date of the action in question; Mr. Watkins submitted his request for review on December 30, 2002, over four months past the date of his application. Based upon the foregoing, the Commission found no basis for taking further action and decided to dismiss Mr. Watkins' appeal without a hearing.

Review of the appeal of Alvin Wilson regarding the action of the Columbus Public Schools, suspending him for 5 days from the position of Head Custodian II – Appeal No. 03-BA-0003.

The Commissioners reviewed the appeal Mr. Wilson filed on January 23, 2002, regarding his suspension from the position of Head Custodian II with the Columbus Public Schools. Ohio Revised Code Section 124.34 provides that school employees can appeal certain disciplinary actions with ten days following the date the order was served. According to documentation from Columbus Public Schools, Mr. Wilson received a copy of this disciplinary action on December 17, 2002. Mr. Wilson did not file his appeal until January 23, 2003, clearly past the ten-day filing period. Based on this, the Commissioners decided to dismiss Mr. Wilson's appeal without a hearing.

Review of the appeal of Karen Duda regarding the rejection of her application for the Secretary examination with the Columbus Public Schools – Appeal No. 03-BA-0004.

The Commissioners reviewed the appeal Ms. Duda filed on February 6, 2003, regarding the disapproval of her application for Secretary I with the Columbus Public Schools. The Commissioners approved the recommendation that Ms. Duda's experience as an Instructional Assistant is not applicable to the required training and experience required for Secretary I. In addition, Ms. Duda's application was incomplete on her length of employment as director of a pre-school program so it was not possible to evaluate if that position met the necessary qualifications. Based upon the foregoing, the Commissioners decided to dismiss Ms. Duda's appeal without a hearing.

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Police Officer Applicants
Removed During The Prescreening Process
Conducted By Brenda S. Sobieck

Bryce Burnett
Clinton Dade
Damian Hamilton
Michael McClasky
Bryan J. Turner

The Commissioners reviewed the files of five police officer applicants for an administrative review of the decision of the Executive Director to reject their applications due to a violation of the background standards for police officers during the pre-screening process.

After reviewing the files of Bryce Burnett, Clinton Dade, Damian Hamilton, Michael McClasky and Bryan J. Turner, the Commissioners decided that their applications would not be accepted and they would not be permitted to take the police officer examination.

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Priscilla R. Tyson, Commission President

March 31, 2003
Date